

PATENT  
Attorney Docket No. 07541.0009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Toshisada YANO et al. ) Group Art Unit: Not Yet Assigned  
Application No.: 10/573,386 ) Examiner: Not Yet Assigned  
Filed: March 24, 2006 ) Confirmation No.: 9341  
For: PIPERIDINE DERIVATIVE )  
HAVING NMDA RECEPTOR )  
ANTAGONISTIC ACTIVITY )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached. Copies of the listed U.S. patents are not enclosed. Applicants respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the

documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 13, 2006

By:   
Mark J. Feldstein  
Reg. No. 46,693

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Sheet	1	of	1	<i>Application Number</i>	10/573,386
				<i>Filing Date</i>	March 24, 2006
				<i>First Named Inventor</i>	Toshisada YANO et al.
				<i>Art Unit</i>	Not Yet Assigned
				<i>Examiner Name</i>	Not Yet Assigned
				<i>Attorney Docket Number</i>	07541.0009

<b>U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-4,232,158	11-04-1980	Shepard et al.	
		US-5,338,754	08-16-1994	Chenard	
		US-5,889,026	03-30-1999	Alanine et al.	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.**

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
		JP 61-36262	02-20-1986	TONEN SEKIYUKAGAKU KK	
		GB 881,894	11-08-1961	N.V. Research Laboratorium	
		EP 0 648 744	04-19-1995	F. Hoffmann-La Roche AG	
		WO 91/08200	06-13-1991	Richter Gedeon Vegyeszeti Gyár Rt.	
		WO 96/02250	02-01-1996	Acea Pharmaceuticals Inc.	
		WO 03/035641	05-01-2003	Shionogi & Co.	Abstract

<b>NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		YAMAZAKI et al., "Cloning, expression and modulation of a mouse NMDA receptor subunit," FEBS Letters, vol. 300, no. 1, pp. 39-45, March 1992.	
		MEGURO et al., "Functional characterization of a heteromeric NMDA receptor channel expressed from cloned cDNAs," Nature, vol. 357, pp. 70-74, May 1992.	
		MCGREER et al., "Duplication of biochemical changes of Huntington's chorea by intrastriatal injections of glutamic and kainic acids," Nature, vol. 263, pp. 517-519, October 1976.	
		TURSKI et al., "Protection of substantia nigra from MPP+ neurotoxicity by N-methyl-D-aspartate antagonists," Nature, vol. 349, pp. 414-418, January 1991.	
		"Academic Standards in Italy," Nature, vol. 358, p. 364, July 1992.	
		MONYER et al., "Heteromeric NMDA Receptors: Molecular and Functional Distinction of Subtypes," Science, vol. 256, pp. 1217-1221, May 1992.	
		DI et al, "Effect of CP101,606, a Novel NR2B Subunit Antagonist of the N-Methyl-D-Aspartate Receptor, on the Volume of Ischemic Brain Damage and Cytotoxic Brain Edema After Middle Cerebral Artery Occlusion in the Feline Brain," Stroke, vol. 28, no. 11, pp. 2244-2251, November 1997.	
		CHIZH et al., "NMDA receptor antagonists as analgesics: focus on the NR2B subtype," Trends in Pharmacological Sciences, vol. 22, no. 12, pp. 636-642, December 2001.	
		English translation of International Preliminary Report on Patentability issued in PCT/JP2004/013775.	
		NARITA et al., "Mechanisms of morphine-induced rewarding effect: involvement of NMDA receptor subunits," Folia Pharmacol. Jpn., vol. 117, pp. 13-19, 2001.	Abstract

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.